



Federal Trade Commission News

Office of Public Affairs -Press Release

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FTC CHARGES QVC HOME SHOPPING CHANNEL WITH MAKING DECEPTIVE CLAIMS AND VIOLATING FTC ORDER

The Federal Trade Commission charged QVC, Inc., the country's largest "home shopping" channel, with violating a June 2000 FTC order by making false or unsubstantiated claims for "For Women Only" weight-loss products and unsubstantiated claims for Lite Bites weight-loss products and Bee-Alive royal jelly dietary supplements. The FTC also alleged that QVC violated the FTC Act by making unsubstantiated claims for a purported cellulite treatment, Lipofactor Cellulite Target Lotion. The Department of Justice, at the FTC's request, filed the suit against QVC today in federal district court in Philadelphia. The FTC is seeking civil penalties, consumer redress, and other relief.

QVC, a multi-billion dollar company based in West Chester, Pennsylvania, sells a wide variety of consumer products through live, 24-hour television programming that reaches almost 85 million homes in the United States. QVC also offers its products on an interactive shopping service on the Internet, www.qvc.com.

"QVC's claims for these products are not only unsubstantiated, but for some, scientifically impossible," said Howard Beales, Director of the FTC's Bureau of Consumer Protection. "No pill or drink can cause anyone to lose 125 pounds. QVC didn't keep its promise to use sound science and solid evidence to back up the claims it makes for the health products it sells."

In 2000, QVC settled FTC allegations that the company made unsubstantiated claims that Cold-Eeze zinc lozenges prevented colds and alleviated allergy symptoms. The resulting FTC consent order requires QVC to have "competent and reliable scientific evidence" substantiating any claim that a dietary supplement "can or will cure, treat, or prevent any disease, or have any effect on the structure or function of the human body."

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According to the complaint announced today, QVC sold the challenged weight loss, cellulite treatment, and royal jelly products through live broadcasts in which a product representative talked with the QVC host about the purported benefits of the featured product. The spokespersons frequently described how well the product had worked for them, as well as others. These programs also featured on-air conversations with consumers who called in and often provided personal testimonials about the products. Throughout the program, the QVC host and product representative urged consumers to buy the products by calling a toll-free number displayed on the screen.

The complaint alleges that QVC violated the 2000 FTC order by making false claims that For Women Only “Zero Fat” pills prevent absorption of dietary fat. The complaint also alleges that QVC violated the FTC Order by making unsubstantiated advertising claims that:

- For Women Only weight control products cause substantial weight loss, for example, 50, 60, 100 pounds or more, and enable users to maintain their weight loss for a substantial period of time;
- For Women Only “Zero Fat” pills (with chitosan, herbs, and other ingredients) prevent fat absorption;
- For Women Only “Zero Carb” pills (with chromium, vanadium, glucosol, gymena sylvestre leaf, and other ingredients) prevent sugar and carbohydrates from being stored as fat;
- Lite Bites products (including “Fat Fighting Bars” and “Fat Fighting System Shakes,” containing chromium picolinate, garcinia cambogia, L-carnitine, herbs, vitamins, fiber, and other ingredients) enable users to lose substantial weight, including, for example, 52, 80, 110, 125 pounds or more, and enable users to maintain their weight loss for a substantial period of time; and
- Bee-Alive dietary supplements containing royal jelly (a substance secreted from the salivary glands of nurse bees and fed to newly laid larvae) significantly reduce fatigue in users with chronic or severe fatigue; and significantly increase energy, strength, or stamina in users who recently have had surgery or suffer from various illnesses or conditions, such as fibromyalgia, Lupus, and Epstein Barr virus.

Violations of FTC orders carry a penalty of up to \$11,000 per violation.

In addition, the FTC complaint alleges that QVC violated the FTC Act by making unsubstantiated claims that Lipofactor Cellulite Target Lotion (a topical product not covered by the 2000 FTC order) eliminates or significantly reduces cellulite without diet or exercise and causes measurable inch loss; and that tests prove the product works.

(QVC, Inc.–03/24/04)

The Commission vote to refer the complaint to DOJ for filing was 5-0. DOJ filed the complaint at the FTC's request in the U.S. District Court for the Eastern District of Pennsylvania on March 24, 2004.

NOTE: The Commission authorizes the filing of a complaint when it has "reason to believe" that the law has been or is being violated, and it appears to the Commission that a proceeding is in the public interest. The complaint is not a finding or ruling that the defendant actually has violated the law. The case will be decided by the court.

Copies of the complaint are available from the FTC's Web site at <http://www.ftc.gov> and also from the FTC's Consumer Response Center, Room 130, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580. The FTC works for the consumer to prevent fraudulent, deceptive, and unfair business practices in the marketplace and to provide information to help consumers spot, stop, and avoid them. To file a complaint, or to get free information on any of 150 consumer topics, call toll-free, 1-877-FTC-HELP (1-877-382-4357), or use the complaint form at <http://www.ftc.gov/ftc/complaint.htm>. The FTC enters Internet, telemarketing, identity theft, and other fraud-related complaints into Consumer Sentinel, a secure, online database available to hundreds of civil and criminal law enforcement agencies in the U.S. and abroad.

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